

Draft Zoning Provisions for Public Discussion
For Royalston Zoning Task Force Consideration
Meeting Requirements of Task #4 Memorandum

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I. Purpose

There are several purposes to this memorandum:

1. To present discussion drafts of the proposed zoning revisions and examples of new zoning bylaws that address the list of zoning priorities developed as part of Task 2, as described in the grant contract.
2. This document serves to explain these drafts, and to provide appendices that offer quick comparisons of changes proposed for the zoning bylaw. It is intended that these appendices be made available to the public during the public meeting that accomplishes Task 4, as described in the grant contract.

Appendix A: Site Plan Review Proposed Changes

Recommendation: Replace Site Plan Review Special Permit with proposed Site Plan Review language.

Existing Language:

IV. B. Site Plan Review Special Permit

1. Site plan review special permit by the Planning Board is required when a development on a single lot, or on contiguous lots under the same ownership, will result in 10 or more parking spaces or more than 5000 square feet of gross floor area, or as specified in Section IV.B-Table of Use Regulations.

In such cases, a special permit may be issued only if the Planning Board makes a finding and determination that the following factors are adequately addressed in the project and that the development will not result in substantial detriment to the neighborhood:

- a. The proposed placement of buildings,
 - b. Major topographic changes,
 - c. Surface and ground water drainage and erosion control,
 - d. Protection against flooding and inundation,
 - e. Prevention of water pollution and environment damage,
 - f. Provision for adequate utility services and waste disposal,
 - g. Provision for off-street parking,
 - h. Provision for off-street loading,
 - i. Location of intersections of driveways and streets, and
 - j. Traffic impacts
2. Filing Requirements

A person applying for a special permit under Section VI B shall file an application and a site plan, one copy of each, with the Town Clerk and six copies of each with the Planning board. Such application and site plan shall include the application requirements, as provided below, and shall also include information as to the nature and extent of the proposed use of the buildings.

 - a. Said site plan shall be prepared by a Massachusetts registered architect, landscape architect or civil engineer and shall show, among other things, zoning district boundaries, existing and proposed topography, all existing and proposed buildings and structures, their uses, elevations, parking areas, loading areas, driveways and driveway opening service area and all other open space areas, all facilities for sewage, refuse and other waste disposal and for surface water drainage, and all landscape features (such as walks, planting areas, trees and fences), lighting and signs.
 - b. An application that does not contain the material described in (a) above, shall be

considered incomplete and shall not be accepted for processing. Upon receipt of material purporting to be an application, the Planning Board, or its designee, shall determine whether the application is complete and notify the applicant in writing if the application is considered incomplete. If no such notification is made within 14 days, the application shall be considered to be complete as of the date submitted.

- c. With a double residence, minimum lot size and frontage must be double the above table.

Upon written request from the applicant prior to the filing of an application, the Planning Board may waive the submission of such information, plans, studies or analyses, or parts thereof, as may not be needed for, or germane to, consideration of the application.

3. Planning Board Procedures

Upon receipt of a completed application, the Planning Board shall promptly notify the Board of Health, the Conservation Commission, and such other boards, commissions or departments as it may consider appropriate, given the substance of the application, of the receipt of the application. The Planning Board shall not make a decision on such application until boards, commissions and departments have submitted reports or recommendations thereon or until 35 days have elapsed since the filing of a completed application without the receipt of reports.

4. Public Hearing

The Planning Board shall hold a public hearing within 65 days after filing and, except as hereinafter provided, shall take final action on an application within 90 days after the hearing. Such final action shall consist of either:

- a. A finding and determination that the proposed project will constitute a suitable development and will not result in substantial detriment to the neighborhood, or
- b. A written denial of the application, stating the reasons for such denial and the elements or particular features of the proposal which are deemed by the Planning Board to be inadequate, unsuitable or detrimental to the neighborhood.

A finding and determination may be made subject to such reasonable conditions, modifications and restrictions set forth therein as the Planning Board may deem necessary to insure that the proposed project will constitute a suitable development and will not result in substantial detriment to the neighborhood. The Planning Board shall file with its records a written report of its final action on each application, with the reasons therefore.

5. Conformity with Planning Board Conditions

In the event that the Planning Board approves a special permit under these provisions, said project shall be carried on only in conformity with any conditions, modifications and

restrictions placed on the project by the Planning Board in the course of approving the special permit.

6. Planning Board Failure to Take Action

In the event the Planning Board shall fail to take action on an application within the times set forth in Subsection IV.E-4, then upon the expiration of said times, the special permit application shall be deemed approved.

Proposed Language: Site Plan Review/Approval (SPA)

A. Applicability. The following types of activities and uses require site plan review by the Planning Board:

1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or any multi-family structure;
2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or purpose.
3. As specified in Section IV.B-Table of Use Regulations.

B. Procedures. Applicants for site plan approval shall submit five (5) copies of the site plan to the Planning Board for review, and within three (3) days thereafter shall also submit a copy of the site plan to the Select Board, Board of Health, Board of Public Works, Building Inspector, Town Engineer, and Conservation Commission for their advisory review and comments. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No building permit or certificate of occupancy shall be issued by the Building Inspector without the written approval of the site plan by the Planning Board, or unless 60 days lapse from the date of the submittal of the site plan without action by the Planning Board.

a. Application for Building Permit. An application for a building permit to perform work as set forth in Section A available as of right shall be accompanied by an approved site plan.

b. Application for Special Permit or Variance. An application for a special permit or a variance to perform work as set forth in Section A shall be accompanied by an approved site plan; in the alternative, any special permit or variance granted for work set forth in Section A shall contain the following condition: The work described herein requires the approval of a site plan by the Planning Board pursuant to Section ____ of the Zoning Ordinance. Any conditions imposed in such site plan approval shall also be conditions of this special permit/variance.

c. Where the Planning Board approves a site plan "with conditions", and said approved site plan accompanies a special permit or variance application to the Board of Appeals, the conditions

imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit or variance by the Board of Appeals.

d. Where the Planning Board serves as the special permit granting authority for proposed work, it shall consolidate its site plan review and special permit procedures.

e. The applicant may request, and the Planning Board may grant by majority vote, an extension of the time limits set forth herein.

f. No deviation from an approved site plan shall be permitted without modification thereof.

C. Preparation of Plans. Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Board and to schedule a comment period at a regular meeting of the Planning Board. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1"=40'.

D. Contents of Plan. The contents of the site plan are as follows:

1. Five (5) separate plans prepared at a scale of one (1) inch equals twenty (20) feet or such other scale as may be approved by the planning board. The plans are as follows: a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the planning board. b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater drainage. c. Utility and landscaping plan, which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas. d. Architectural plan, which shall include the ground floor plan and architectural elevations of all proposed buildings and a color rendering. e. Landscaping plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures.

2. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

3. A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in

residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this ordinance.

4. The site plan shall be accompanied by drainage calculations by a registered professional engineer. Storm drainage design must conform to Royalston subdivision regulations.

5. The Planning Board may require a narrative statement detailing the impact of the proposed use on municipal services and the environment.

6. Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

E. Waiver of Technical Compliance. The Planning Board may, upon written request of the applicant, waive any of the requirements of this Section where the project involves relatively simple development plans or constitutes a minor site plan. An application for permits to build, alter or expand any nonresidential building, structure or use in any district where such construction will exceed a total gross floor area of 500 square feet but not exceed a total gross floor area of 2000 square feet, or an application which will not generate the need for more than 10 parking spaces shall be deemed a "minor site plan." For the purposes of computing the total gross floor area of a minor site plan, the Planning Board shall aggregate all such applications made within the five (5) previous calendar years. Minor site plans shall set forth all of the information required by Section 5440; provided, however, that the scale of the site plan may be 1' = 80', and the plan may depict topographical contours at intervals available on maps provided by the United States Geological Survey.

F. Approval. Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

1. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and threat of air and water pollution;
2. Maximize pedestrian and vehicular safety both on the site and egressing from it;
3. Minimize obstruction of scenic views from publicly accessible locations;

4. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;

5. Minimize glare from headlights and lighting intrusion;

6. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

7. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances;

8. Ensure compliance with the provisions of this Zoning Ordinance, including parking and landscaping.

G. Lapse. Site plan approval shall lapse after one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

H. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

I. Fee. The Planning Board may adopt reasonable administrative fees and technical review fees for site plan review.

J. Appeal. The appeal of any decision of the planning board hereunder shall be made in accordance with the provisions of Mass. Gen. L. ch. 40A, §17.

Appendix B: Accessory Dwelling Units

Existing Provisions: None

Proposed Language:

- 1) **Purpose.** This section has been adopted to promote the following purposes:
 - a) To provide small additional dwelling units to rent without adding to the number of buildings in the Town, or substantially altering the appearance of the Town;
 - b) To enable owners of single family dwellings larger than required for their present needs, particularly elderly homeowners, to share space and the burdens of home ownership;
 - c) To provide additional living space for extended family members.
- 2) **Special Permit Required.** Accessory dwelling units may be allowed by special permit by the Board of Appeals, which shall terminate either upon transfer of the ownership of the premises or when the owner no longer occupies the premises as his legal residence, and subject to the following considerations.
- 3) **Procedures.** An application for a special permit shall be governed by the following procedures:
 - a) *Plot Plan.* A plot plan, prepared by a Registered Land Surveyor, of the existing dwelling unit and proposed accessory dwelling unit shall be submitted to the Board of Appeals, showing the location of the building on the lot, proposed accessory dwelling unit, location of any septic system and required parking. A mortgage inspection survey, properly adapted, shall be sufficient to meet this requirement.
 - b) *Board of Health.* Any special permit application shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code). Therefore, applicants are encouraged to seek Board of Health review prior to making an application to the Board of Appeals. The Board of Health shall also approve water supply and drainage resulting from the proposed accessory dwelling unit as adequate for the proposed construction.
 - c) *Affidavit.* Certification by affidavit shall be provided that one of the two dwelling units shall be occupied by the owner of the property at least six months in any calendar year.
- 4) **Standards.** Accessory dwelling units shall be subject to the following standards:
 - a) *Limit.* Not more than one accessory dwelling unit may be established on a lot. The accessory dwelling unit shall not exceed 33% of the gross living space of the existing or expanded principal structure or 800 square feet, whichever is greater.
 - b) *Location.* The accessory dwelling unit may be located in the principal structure or in a detached accessory structure; provided, however, that an accessory dwelling unit may be

located in such detached accessory structure only where such detached accessory structure has been in existence for at least ten (10) years.

- c) *Appearance.* The external appearance of the structure in which the accessory dwelling unit is to be located shall not be significantly altered from the appearance of a single family structure, in accordance with the following:
 - i) Any accessory dwelling unit construction shall not create more than a 15% increase in the gross floor space of the structure;
 - ii) Any stairways or access and egress alterations serving the accessory dwelling unit shall be enclosed, screened, or located so that visibility from public ways is minimized;
 - iii) Sufficient and appropriate space for at least one (1) additional parking space shall be provided by the owner to serve the accessory dwelling unit. Said parking space shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway; and
 - iv) All construction and/or renovation shall be performed in accordance with the applicable requirements of the State Building Code.
- 5) **Conditions for Issuance and Renewal of Special Permits.** The initial term and subsequent terms of a special permit for an accessory dwelling unit shall terminate upon transfer of the ownership of the premises or when the owner no longer occupies the premises as his or her legal residence. Subsequent special permit issuances for existing accessory dwelling units may be granted after certification by affidavit is made by the applicant to the Board of Appeals that the accessory dwelling unit has not been extended, enlarged, or altered to increase its original dimensions, as defined in the initial special permit application.
- 6) **Decision.** Special permits for an accessory dwelling unit may be issued by the Board of Appeals upon a finding that the construction and occupancy of the dwelling unit complies with foregoing provisions and will not be detrimental to the neighborhood in which the lot is located and after consideration of the criteria specified.

Appendix C: Home Occupations

Existing Language:

1. Home Occupation:

- i. **Consultant comments:** The existing bylaw does not actually define Home Occupations; rather, it regulates an undefined set of activities.
- ii. **Existing Regulation:** The occupation shall not employ more than one (1) non-resident employee, and shall not be characterized by outward manifestations that are unlike those of dwelling units in the particular neighborhood in which the dwelling is located (i.e. traffic generation, noise, public service and utility demand, etc. The home occupation shall occupy not more than forty (40) percent of the gross floor area or six hundred (600) square feet, whichever is less, of the dwelling unit. In connection with a home occupation, there shall be no display visible from outside the building other than an identification sign not larger than two (2) square feet in area.
- iii. **Proposed Definition:** An occupation, business, trade, service or profession which is incidental to and conducted in a dwelling unit or in a building or other structure accessory thereto, by a resident thereof.

Proposed Language For Regulations:

I HOME OCCUPATIONS

A Home Occupations As of Right. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by a resident of that dwelling; provided, however, that all of the following conditions shall be satisfied:

1. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto which has been in existence at least five (5) years, without extension thereof.
2. Not more than thirty (30) percent of the combined floor area of the residence and any qualified accessory structures shall be used in the home occupation.
3. No person not a member of the household shall be employed on the premises in the home occupation.

4. The home occupation shall not serve clients, customers, pupils, salespersons, or the like on the premises.
5. There shall be no sign, exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.
6. No disturbance, as defined in Section XXX, shall be caused, nor shall the home occupation use or store hazardous materials in quantities greater than associated with normal household use.
7. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

B. Home Occupations by Special Permit. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by a resident of that dwelling upon the issuance of a special permit by the Board of Selectmen; provided, however, that all of the following conditions shall be satisfied:

1. All of the requirements of Section A.1, A.2, and A.7.
2. Not more than one (1) person not a member of the household shall be employed on the premises in the home occupation.
3. An unlighted sign of not more than three (3) square feet in area may be permitted. The visibility of exterior storage of materials and other exterior indications of the home occupation, or other variation from the residential character of the premises, shall be minimized through screening and other appropriate devices.
4. Parking generated by the home occupation shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 35% of lot area.
5. No disturbance shall be caused. The use or storage of hazardous materials in quantities greater than associated with normal household use shall be subject to design requirements to protect against discharge to the environment.

Appendix D: Proposed Flexible Development Requirements and Procedures

1. Applicability. An owner or owners of land in a RRA District may apply to the Planning Board for a Special Permit for Flexible Development under this Section AA.

H. This will exempt such land from the lot area, frontage, setback and other applicable dimensional requirements set forth in the Table of Conventional Dimensional Requirements of this Zoning By-Law in order to fulfill the purposes of Flexible Development. The Planning Board in order to fulfill the purposes of Flexible Development. The Planning Board shall be the Special Permit Granting Authority for any Special Permit for Flexible Development issued under this Section. Nothing in this section shall be interpreted as conflicting with the right of a landowner to proceed under the Subdivision Control Law with an application for a preliminary or definitive subdivision plan pursuant to G.L.c.41, Sections 81S and 81T, or with an application for endorsement of a plan of land division as "approval not required" pursuant to G.L.c.41, Section 81P.

2. Purpose

The general purpose of Flexible Development is to allow greater flexibility and creativity in the design and layout of single family residential development, without any increase in permitted density, in order to:

- a. minimize alteration of or damage to the natural and cultural features and topography of the land;
- b. avoid undue adverse impacts of new development on existing homes and neighborhoods;
- c. preserve wooded areas and other undeveloped open land particularly along Town roads;
- d. preserve the existing semi-rural appearance of the Town.

3. Fees

An applicant for a Special Permit for Flexible Development shall pay a filing fee and review fees as the Planning Board shall deem reasonably necessary, which fees shall be set forth in the Planning Board Special Permit Rules for Flexible Development.

4. Procedure

A landowner seeking to create a Flexible Development of land may file with the Planning Board an Application for a Special Permit for Flexible Development. The Application shall conform to the applicable requirements for a Definitive Subdivision Plan as set forth in the Planning Board's Rules and Regulations for the Subdivision of Land, as well as the Flexible Development requirements contained herein and all other requirements in the Special Permit Rules for Flexible Development.

The Planning Board shall give notice, hold a public hearing and file its decision regarding a Flexible Development Application, in accordance with the procedures governing special permits contained in Sections 9, 11 and 15 of M.G.L.c.40A, the Zoning Act.

5. Dimensional Requirements.

A Special Permit for Flexible Development may authorize the creation and use of lots meeting the following dimensional requirements in lieu of the conventional dimensional requirements contained in Section AA.B.2. and AA.B.3.

- a. Lot Area. Each lot shall be at least of a size capable of supporting the construction of a single-family dwelling and its accessory structures in accordance with all applicable state and local regulatory requirements and the purposes of Flexible Development.
- b. Frontage. The frontage of each lot for a building site created in a Flexible Development shall be that necessary, in the opinion of the Planning Board, to provide for adequate access to the lot. Where shared driveways or other circumstances provided adequate access to an individual lot, frontage may not be required.
- c. Setbacks. All structures shall be set back a minimum of twenty (20) feet from all lot lines, provided, however, that with respect to lot lines which abut an existing street or which otherwise abut land outside the Flexible Development, setbacks from said lot lines shall conform to the Section AA.B.2. setback requirements applicable to conventional development in the underlying zoning district.
- d. Building Height. The height of all buildings or other structures within a Flexible Development shall conform to the requirements of Section AA.E.

6. Other Requirements

- a. Buildable Lot. Buildable lot shall be defined for purposes of determining the density of a Flexible Development as an area of contiguous land, having sufficient area and dimensions to meet the applicable requirements of this Zoning By-Law for use as the site of one single family detached dwelling, and conforming to all relevant state and local laws and regulations.
- b. Developed Areas. The boundaries of the area(s) within each lot that will contain all principal and accessory structures shall be shown on the plan and designated as the "Developed Areas". The areas so designated shall be of a size and location to satisfy the stated purposes and standards set forth herein.
- c. Single Dwelling. Not more than one single family dwelling and its accessory structures and uses may be located on a lot created under Flexible Development pursuant to Section AA.F.2.
- d. Density. The maximum number of lots for building sites in a Flexible Development shall not exceed the number of buildable lots which could be created through conventional development of the site. The allowable maximum density shall be based upon the maximum number of buildable lots which may be

- created through conventional development of the land without substantial waivers from the Planning Board's Rules and Regulations for the Subdivision of Land and in conformance with the conventional dimensional requirements for the underlying zoning district. The Planning Board shall make the final determination of density, provided, however, that for the limited purpose of showing conformance with said conventional dimensional requirements in accordance with Section abc – Table of Dimensional Regulations.
- e. NOTE: in d. above, you can craft a an incentive to preserve usable/valuable open space by granting a little extra density, up to (say) 120% or 110% or a minimum of 1 extra lot (if a small development) for using the land well. Alternatively, you can try to force it through the special permit process and risk the pulling of the application. The incentive, at the discretion of the Board, is better, because it gives the Board the option.
 - f. Restrictions Against Further Development. No Flexible Development for which a Special Permit has been issued under this Section may be further subdivided. A notation to that effect shall be made on the Lot Plan as defined in the Planning Board Rules and Regulations to be endorsed by the Planning Board and recorded in the Registry of Deeds or the Land Court. In addition, a perpetual restriction, running with the land, and enforceable by the Town of Royalston, shall be recorded with respect to the land within the Flexible Development. Such restriction shall provide that no lot in the Flexible Development may be further subdivided into additional building lots. Said restriction shall be in such form and substance as the Planning Board shall prescribe and may contain such additional restrictions on development and use of the lots as the Planning Board may deem appropriate.

7. Allowed Uses.

The land in a Flexible Development may be used for any use otherwise allowable in the Single Family Residence District in which it is located, pursuant to the provisions of Section _____. Use Regulations.

8. Standards

In reviewing an Application for a Special Permit for Flexible Development, the Planning Board shall consider the extent to which the Application meets the purposes of Flexible Development by satisfying the following standards:

- a. The laying out of Developed Areas, roads, storm drains, sewage disposal systems, and utilities shall be in conformance with the natural features of the parcel, minimizing changes to the topography and maximizing the amount of preserved wooded areas and other open space.
- b. The amount of land to be disturbed for the construction of buildings, driveways, septic systems, utilities, storm drainage systems and roads shall be minimized.
- c. Important natural and historic features of the land, as determined by the Planning Board, shall be protected.

- d. The Flexible Development shall be in keeping with and enhance the overall rural appearance of Royalston by:
 - i. preserving views from existing roads;
 - ii. avoiding undue adverse impacts on neighborhoods;
 - iii. conserving natural and historic resources, including but not limited to those linked to off-site protected resource areas.
- e. The impacts of road and utility installations for each dwelling unit served shall be less than those generated by a conventional development of the same land.
- f. The design, number and location of curb cuts shall be such that any conflict with existing traffic flow is minimized, and the semi-rural appearance of existing streets is maintained or enhanced.
- g. Provision, satisfactory to the Planning Board, shall be made with regard to the ownership and maintenance of any and all private roads, common driveways, common land, or other common facilities within the Flexible Development.
- h. The design shall minimize the size of Developed Areas.

The Planning Board shall not grant a Special Permit for Flexible Development unless the Application is consistent with the above standards and conforms to the dimensional and use requirements for Flexible Development set forth herein and in the Planning Board Special Permit Rules for Flexible Development.

Appendix E: Proposed Use Chart Changes

Principle Use	R	HR	RRA
Restaurants: Existing	N	N	N
Restaurants: Proposed	SPBA	N	N
Auto Service/Repair Station: Existing	N	N	N
Auto Service/Repair Station: Proposed	SPBA	N	N
Retail, Office or Service less than 1500 sft.: Existing	N	N	N
Retail, Office or Service less than 1500 sft.: Proposed	SPBA?	N	N
Bed and Breakfasts: Existing	SPA	N	SPA
Bed and Breakfasts: Proposed	SPBA	SPBA	SPA
Warehousing: Existing	N	N	N
Warehousing: Proposed	SPBA?	N	N
Mixed Use (business and residential): Proposed	SPBA?	N	N